IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 24TH NOVEMBER 2006 / 3RD AGRAHAYANA 1928

Bail Appl..No. 6927 of 2006()

CMP.6382/2006 of J.M.F.C.-I,KANJIRAPPALLY

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PETITIONER/ACCUSED:

JOSEPH, AGED 65 YEARS,
S/O.KURIAKOSE, MALIAKEL HOUSE,
KANNAKAYAM KARA, ERUMELY NORTH VILLAGE,
KANJIRAPALLY TALUK.

BY ADV. SRI.JOBI JOSE KONDODY

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 6927 of 2006

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DATED: 24-11-2006

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in C.R. No. 29/06 of Kanjirappally Excise Range for offences punishable under Secs.8(1) and 8(2) of the Abkari Act, for having been found in possession of 10 liters of illicit arrack on 7-11-2006, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor. The learned Public Prosecutor opposed the application.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioners on bail.

This Application is accordingly dismissed.

V.RAMKUMAR,
JUDGE.

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